

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Williams, followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS Bennett, Bogue, Caveglia, Fish, Halliday, Zermeno
CHAIRPERSON Williams
Absent: COMMISSIONER None

Staff Members Present: Anastas, Anderly, Borger, DeLuz, Looney, McClellan

General Public Present: Approximately 150

PUBLIC COMMENT**AGENDA**

1. Use Permit No. 98-160-15 and Variance Application 98-180-05 - Boys and Girls Club of Hayward, Inc. (Applicant/Owner) - Request to construct a 19,528 square-foot social, recreational and instructional facility. The applicant is also requesting variances to (1) allow 42 percent of the site to be covered where 40 percent maximum coverage is permitted, (2) reduce the required front yard setback from 20 feet to 16 feet for parking, and (3) locate parking between the building and the street (behind the primary structure required). The project location is 28200 Ruus Road, east side, in an RS (Single-Family Residential) District.
(Continued until March 11, 1999.)
2. Use Permit No. 98-160-10 - Peter Jacobsohn (Applicant)/Dr. Sandeep Salwan (Owner) - Request to construct a three-story structure consisting of the following: the first story is approximately 2,300 square feet of kennel space located on street level, the second story a 5,700 square-foot veterinary clinic/hospital, and the third story is a 2,400 square-foot residential unit and for a use permit to allow parking on residentially zoned property. The project location is 21888 Foothill Boulevard in the CN (Neighborhood Commercial) and RM (Medium Density Residential) Zoning Districts.
(This item is being continued to a later date, which, as yet, is undetermined.)
3. Use Permit No. 97-160-11 - South Congregation of Jehovah's Witnesses, Inc. (Applicant/Owner), Phil & Clara Bradd (Owners) - Request to construct a 6,252 square-foot kingdom hall (church). The property is located at 28126 Harvey Avenue, easterly side, and 28291 Ruus Road and 28317 Ruus Road, westerly side. The property is a through lot with frontage on both Harvey Avenue and Ruus Road, and is located in a Single-Family Residential (RS) District.
4. Zone Change No.98-190-11 - Landfill Management, Inc. (Applicant) - HBF Enterprises, Inc. [d.b.a. KCTC AM Radio] (Owner) - Request to modify conditions of approval for a planned development site to extend the time to complete this project by two years until

December 31, 2000, to complete grading, capping and revegetating HBF Enterprises, Inc. portion of the West Winton Avenue landfill and to obtain authority to continue a concrete/asphalt recycling activity on the site for five years until December 31, 2003. The property is located at 4001 West Winton Avenue, at the westerly terminus of West Winton Avenue adjacent to the San Francisco Bay.

PUBLIC HEARINGS

1. Use Permit No. 98-160-15 and Variance Application 98-180-05 – Boys and Girls Club of Hayward, Inc. (Applicant/Owner) – Request to construct a 19,528 square-foot social, recreational and instructional facility. The applicant is also requesting variances to (1) allow 42 percent of the site to be covered where 40 percent maximum coverage is permitted, (2) reduce the required front yard setback from 20 feet to 16 feet for parking, and (3) locate parking between the building and the street (behind the primary structure required). The project location is 28200 Ruus Road, east side, in an RS (Single-Family Residential) District.
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Assistant Planner DeLuz described the proposal which includes razing the present structure and constructing a new, larger hall with more parking spaces. He indicated that the permit would require a lot line adjustment and a parcel merger to create the project site as a single parcel. All surrounding properties are developed with residences. He explained that with the additional land acquisition, the facility will provide more than the number of parking spaces required by the City; based on seating; they are required to have 70 parking spaces but will have 84. He then responded to questions from Commissioners.

Commissioner Halliday asked whether the fact that there were two separate auditoriums would impact the parking. Assistant Planner DeLuz responded that they took the most restrictive requirement for parking based on the parking regulations and applied it.

She then asked about Condition 10, "...If hours of operation are found to be incompatible with the adjacent residential uses." He explained that the intent was to insure some compatibility with surrounding homes. Without having some condition to address the hours, the City would not be in

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a position to control the operation, if they were to operate later into the evening during hours not compatible with the neighborhood.

Commissioner Zermefio asked how many years this has been planned. Assistant Planner DeLuz indicated that the original application was in 1997.

Commissioner Bennett asked about the parking and whether there will be protection for neighbors' property. Assistant Planner DeLuz explained that the lot would be separated from the neighbors by a proposed masonry wall, which extends around the north and south perimeter of the property.

Chairperson Williams asked again about the restrictions on the times of the church services; Assistant Planner DeLuz explained that a condition provided a means for the neighbors to seek relief from noise in the parking lot during later hours.

Development Review Services Administrator Anderly added that most use permits typically do have restricted hours of operation associated with them. She suggested that the Planning Commission establish specific hours of operation between the Kingdom Hall and the neighbors.

Public Hearing Opened at 7:53 p.m.

Andrew Davidson, 31051 Chicoine Avenue, speaking for the applicant, explained that the church realized the neighbors' concern regarding parking as well as the City's concerns for emergency vehicle access. He said the church pursued the acquisition of more property. He said they have worked hard to be good neighbors and will continue to do so. He then indicated that they have entered into an agreement with Eden Youth Center to use their facility for over-flow parking during special events.

In response to Commissioner Halliday's question regarding whether they would normally fill the 150 seats per service. Mr. Davidson said it would not be typical to have that many people per service. She then asked whether there would be adequate space in the lobby of the new building for congregation after the services rather than people meeting in the parking lot. Mr. Davidson then referred to the architect for further information.

Nolley De La Santos, architect for the project, described the structure and explained that there will be adequate room inside the structure for people to meet and talk.

Marvin Edge, 28134 Harvey Avenue, asked about the sound wall; he asked for an 8' foot fence since there is a difference in grade where his property meets the applicant's.

Development Review Services Administrator Anderly explained that the zoning requirement states that it be 6' on either side of the fence.

Commissioner Zermefio asked Mr. Davidson how long the project would take.

Mr. Davidson explained that the goal is to have everything finished by the end of the year.

Rosemary Edge, 28134 Harvey Avenue, explained that parking is inadequate for the present

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structure and there is a problem with members parking in front of their house on either side of the driveway making egress difficult. She explained that if there were a red zone about 2 feet on either side of the driveway, it would help.

Maria Magallanes, 28151 Montjoy Court, explained that her questions were answered and she had no other comments.

Public Hearing Closed at 8:12 p.m.

Commissioner Halliday asked whether it would be possible to provide a red curb no parking on the residential street.

Commissioner Fish moved, seconded by Commissioner Bennett, to approve the application with one further condition to red stripe the southernmost property owners' driveway for a distance of 5-feet on either side of the driveway.

Commissioner Bogue expressed concern about the 5-foot requirement.

Development Review Services Engineer Anastas recommended that discretion in the striping be left to the City traffic-engineering staff to determine the red curbing distance.

Commissioner Halliday said that she was concerned that this neighborhood has been impacted particularly in the parking area. She then referred to item number one which has also indicated using the Eden Youth Center for over-flow parking. She said she was concerned but would not vote against the proposal.

The motion passed unanimously.

4. Zone Change No.98-190-11 - Landfill Management, Inc. (Applicant) - HBF Enterprises, Inc. [d.b.a. KCTC AM Radio] (Owner) - Request to modify conditions of approval for a planned development site to extend the time to complete this project by two years until December 31, 2000, to complete grading, capping and revegetating HBF Enterprises, Inc. portion of the West Winton Avenue landfill and to obtain authority to continue a concrete/asphalt recycling activity on the site for five years until December 31, 2003. The property is located at 4001 West Winton Avenue, at the westerly terminus of West Winton Avenue adjacent to the San Francisco Bay.

Senior Planner McClellan explained the need for a further extension of the landfill-capping project and for continuation of the concrete and asphalt recycling activity to continue on site during the extension period and while work continues on adjacent lands owned by HARD and Alameda County Flood Control and Water Conservation District. He explained that the project site is virtually complete. However, the volumes of specialized capping material calculated for the completion of the project have not been generated by the ACFC and WCD and made available to the applicant and that the shoreline vegetative material from Oro Loma Sanitary District has not been harvested in 1998 because of the effects of El Niño. These materials should be made available during the upcoming summer. He added that the Regional Water Quality Control Board is pleased and approves of the progress of the work. He indicated that staff is supporting the application. He added that the work is mandated whether the City agrees to the extension or not.

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Commissioner Caveglia questioned the length of time the project was taking since this is the third request for an extension.

Senior Planner McClellan responding to a question regarding ownership, indicated that the property is still under the same ownership of the original owner. Commissioner Caveglia asked how the money works and who is making money off the proposal.

The Public Hearing Opened at 8:44 p.m.

Randy Bailey, Landfill Management Incorporated, 159 Terrace Avenue, San Rafael, explained that the funds are collected to do the work on the property. There is no profit. The money not used immediately is banked and used on the property for additional requirements. He explained that this is an abatement project at the bequest of the Regional Water Quality Control Board

Commissioner Caveglia suggested that if this were really serious they would have found a more efficient way of handling this.

Commissioner Zermeno asked whether this is going to be open space available to the public. Mr. Bailey explained that along the Bay is the regional park trail; the rest of the property is designated as upland habitat, which is public open space.

Ron Barklow, 1210 Tiegen Drive, mentioned that the crushed concrete provides material for an all-weather Bay trail. He added that he hoped they would be careful of the material that is used as topsoil so that it does not create more work for the shoreline clean up. He then questioned the publication of the notice in the Daily Review since not everyone reads that newspaper. He also suggested that clean up be required as needed rather than just twice a day required in Condition 8. He also requested that HASPA should have been noticed about this application.

Senior Planner McClellan indicated that HASPA had not scheduled their regular meeting prior to the Planning Commission meeting, and therefore had not discussed this item. Eric Willyard is the agency representative and is well aware of this application and will place it on the next agenda for the meeting, which should be held prior to the Council hearing.

Public Hearing Closed at 8:44 p.m.

Commissioner Fish, **moved**, seconded by Commissioners Bogue and Halliday, to approve recommending the application to the City Council.

The item passed, 6:0:1, with Commissioner Caveglia abstaining.

ADDITIONAL MATTERS

5. Oral Report on Planning and Zoning Matters

Development Review Services Administrator Anderly reported that the concerns about Pearce Street were referred to the Community Preservation and the Traffic Engineer. She added that the

business on Foothill, Lee's Buffet, has been notified that they are conditioned to screen the equipment on the roof.

6. Commissioners' Announcements, Referrals

Commissioner Bennett asked for further information on the completion date for construction on "B" Street.

Commissioner Zermefio asked for further information on potholes at the southbound corner of Sleepy Hollow and Hesperian.

Commissioner Bennett also criticized the street maintenance of Mission and Foothill State roads.

Commissioner Halliday also asked about the condition of the I-880 interchange.

Development Review Services Engineer Anastas said City staff would check with Cal Trans and report back on these issues.

ADJOURNMENT

The meeting was adjourned by Chairperson Williams at 8:52 p.m.

APPROVED:

Jerry Caveglia, Secretary
Planning Commission

ATTEST:

Edith Looney
Commission Secretary